

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARIE RETTBERG,

Case No. 08-cv-5798 (SCR)

Plaintiff,

**ANSWER**

-against-

JOINT RECREATION COMMISSION OF THE  
TOWN/VILLAGE OF GOSHEN, TOWN OF GOSHEN  
and VILLAGE OF GOSHEN,

Defendants.  
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Defendants Joint Recreation Commission of the Town/Village of Goshen and Village of Goshen (collectively, "Defendants"), by their attorneys, LEWIS BRISBOIS BISGAARD & SMITH LLP, for their Answer to the plaintiff's Complaint, allege upon information and belief as follows:

**FIRST:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph "1" of the Complaint, and, in addition, state that the content of the Complaint speaks for itself.

**PARTIES**

**SECOND:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph "2" of the Complaint.

**THIRD:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph "3" of the Complaint.

**FOURTH:** Defendants admit the allegations in paragraph "4" of the Complaint.

**FIFTH:** Defendants admit the allegations in paragraph "5" of the Complaint.

**JURISDICTION AND VENUE**

**SIXTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “6” of the Complaint, and, in addition, respectfully refer all questions of law to the Court for its judicial determination.

**SEVENTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “7” of the Complaint, and, in addition, respectfully refer all questions of law to the Court for its judicial determination.

**EIGHTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “8” of the Complaint, and, in addition, respectfully refer all questions of law to the Court for its judicial determination.

**FACTS**

**NINTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “9” of the Complaint, except admit that for some period of time she was employed by Joint Recreation Commission of the Town/Village of Goshen.

**TENTH:** Defendants admit the allegations in paragraph “10” of the Complaint.

**ELEVENTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “11” of the Complaint.

**TWELFTH:** Defendants deny the truth of each and every allegation in the first sentence of paragraph “12” of the Complaint, and, in addition, defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations in paragraph “12” of the Complaint.

**THIRTEENTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “13” of the Complaint, except admit that in September 2006, plaintiff advised Susan Maysels that she was pregnant.

**FOURTEENTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “14” of the Complaint.

**FIFTEENTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “15” of the Complaint.

**SIXTEENTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “16” of the Complaint.

**SEVENTEENTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “17” of the Complaint.

**EIGHTEENTH:** Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph “18” of the Complaint.

**NINETEENTH:** Defendants deny the truth of each and every allegation in paragraph “19” of the Complaint.

**TWENTIETH:** Defendants deny the truth of each and every allegation in paragraph “20” of the Complaint.

**TWENTY-FIRST:** Defendants deny the truth of each and every allegation in paragraph “21” of the Complaint.

**TWENTY-SECOND:** Defendants deny the truth of each and every allegation in paragraph “22” of the Complaint.

**CAUSES OF ACTION**

**TWENTY-THIRD:** Defendants repeat each and every denial and denial made upon information and belief in response to paragraphs “1” through “23” as if each were repeated verbatim at length herein.

**TWENTY-FOURTH:** Defendants deny the truth of each and every allegation in paragraph “24” of the Complaint.

**AS AND FOR THEIR FIRST AFFIRMATIVE DEFENSE**

**TWENTY-FIFTH:** Upon information and belief, plaintiff’s Complaint fails to state a valid claim for which relief can be granted.

**AS AND FOR THEIR SECOND AFFIRMATIVE DEFENSE**

**TWENTY-SIXTH:** Upon information and belief, defendants had legitimate, non-discriminatory reasons for the conduct complained of.

**AS AND FOR THEIR THIRD AFFIRMATIVE DEFENSE**

**TWENTY-SEVENTH:** Upon information and belief, plaintiff has not suffered any damages as a result of the acts alleged to have been committed.

**AS AND FOR THEIR FOURTH AFFIRMATIVE DEFENSE**

**TWENTY-EIGHTH:** Upon information and belief, plaintiff’s claims fail because Defendants have conducted themselves at all times in good faith, with a reasonable belief that their actions did not constitute a violation of plaintiff’s rights.

**WHEREFORE,** Defendants JOINT RECREATION COMMISSION of the TOWN/VILLAGE of GOSHEN and VILLAGE of GOSHEN, demand judgment dismissing the Complaint in its entirety, with prejudice, and awarding them costs, attorney fees and disbursements incurred in this matter, as well as such other, further and different relief as this Court deems just and proper.

Defendants demand a trial by jury of all causes of action as to which the law entitles them to a trial by jury.

Dated: New York, New York  
August 13, 2008



LEWIS BRISBOIS BISGAARD & SMITH, LLP

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